b) a communication device (CD) comprising CD electronic control circuitry that further comprises at least one CD telemetry system and at least one CD processor that controls, at least in part, operation of the CD telemetry system and operation of the communication device, wherein the CD telemetry system sends messages to or receives messages from the MD telemetry system using RF transmissions,

wherein the communication device includes a CD display controlled by the at least one CD processor for providing visual feedback to the patient, and

wherein the feedback comprises a display of the quantity of a consumable estimated to be remaining in the system.

Claim 7. (Original) The system of claim 6 wherein a first portion of the MD telemetry system is incorporated into the MD processor and a second portion of the MD telemetry is external to the MD processor, or wherein a first portion of the CD telemetry system is incorporated into the CD processor and a second portion of the CD telemetry system is external to the CD processor.

Claim 8. (Original) The system of claim 7 wherein (1) the MD electronic control circuitry comprises at least one external MD functional module, other than the second portion of the MD telemetry system, that is external to the MD processor, (2) the CD electronic control circuitry comprises at least one external CD functional module, other than the second portion of the CD telemetry system, that is external to the CD processor, (3) the MD processor comprises an internal MD CPU and at least one other internal MD functional module, or (4) the CD processor comprises an internal CD CPU and at least one other internal CD functional module.

Claim 9. (Original) The system of claim 6 wherein the medical device comprises at least one of (1) an implantable infusion pump for selectively dispensing a selected drug, (2) an implantable infusion pump for selectively dispensing insulin, (3) an implantable sensor for sensing a selected state of the body, (4) an implantable sensor for sensing glucose level, or (5) an implantable electrode for selectively stimulating a portion of the body of the patient.

Claim 10. (Original) The system of claim 6 wherein the consumable is a quantity of a drug estimated to be remaining in a reservoir.

Claim 11. (Original) The system of claim 6 wherein the consumable is either (1) battery power remaining in a replaceable CD battery in the communication device and a voltage level on the CD battery is graphically depicted with a desired resolution, or (2) battery power remaining in an MD battery in the medical device and a voltage level on the battery is graphically depicted with a desired resolution.

Claim 12. (Amended) A medical system, comprising:

a) an ambulatory medical device (MD) comprising MD electronic control circuitry that further comprises at least one MD telemetry system and at least one MD processor that controls, at least in part, operation of the MD telemetry system and operation of the medical device, wherein the medical device is configured to provide a treatment to a body of a patient or to monitor a selected state of the body; and

b) a communication device (CD) comprising CD electronic control circuitry that further comprises at least one CD telemetry system and at least one CD processor that controls, at least in part, operation of the CD telemetry system and operation of the communication device, wherein the CD telemetry system sends messages to or receives messages from the MD telemetry system using RF transmissions,

wherein the CD display is controlled to depict a plurality of patient programmable options and wherein at least one of the patient programmable options may be enabled or disabled such that when disabled the at least one patient programmable option is no longer displayed as an option.

13. (Original) The system of claim 12 wherein a first portion of the MD telemetry system is incorporated into the MD processor and a second portion of the MD telemetry system is external to the MD processor, or wherein a first portion of the CD telemetry system is incorporated into the CD processor and a second portion of the CD telemetry system is external to the CD processor.

14. (Original) The system of claim 13 wherein (1) the MD electronic control circuitry comprises at least one external MD functional module, other than the second portion of the MD telemetry system, that is external to the MD processor, (2) the CD electronic control circuitry comprises at least one external CD functional module, other than the second portion of the CD telemetry system, that is external to the CD

processor, (3) the MD processor comprises an internal MD CPU and at least one other internal MD functional module, or (4) the CD processor comprises an internal CD CPU and at least one other internal CD functional module.

15. (Original) The system of claim 12 wherein the medical device comprises at least one of (1) an implantable infusion pump for selectively dispensing a selected drug, (2) an implantable infusion pump for selectively dispensing insulin, (3) an implantable sensor for sensing a selected state of the body, (4) an implantable sensor for sensing glucose level, or (5) an implantable electrode for selectively stimulating a portion of the body of the patient.

16. (Original) The system of claim 12 wherein the medical device comprises an infusion pump and wherein the at least one patient programmable option comprises at least one of (1) a square wave bolus option, (2) a patient specifiable maximum bolus amount, (3) a patient specifiable maximum basal rate option, or (4) a patient specifiable automatic off time interval.

REMARKS

Claims 1-5 are cancelled herein without prejudice. Claims 6 and 12 are amended. Accordingly, by this amendment, claims 6-16 are pending in the application. Re-examination and reconsideration of the application, as amended, are requested.

As discussed below, independent claims 6 and 12 are amended herein to recite that the CD telemetry system sends messages to or receives messages from the MD telemetry system using RF transmissions. Entry of the amendments to claims 6 and 12 is requested, because the application, as amended, is in condition for allowance as described below. In addition, entry of the amendment is appropriate, because the "final" status of the January 2, 2003 Office Action is improper.

More specifically, the January 2, 2003 Office Action should not be made "final," because that Office Action includes a modification of the Examiner's previous rejection in a manner that amounts to a new ground of rejection that the applicant has not had an opportunity to address (and that was not necessitated by previous claim amendments).